

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**SPECIAL SESSION  
February 17, 2005**

The Board of Supervisors of Maricopa County, Arizona convened in Special Session at 12:30 p.m., February 17, 2005, at CSA Board Rooms A & B, 1905 W. Washington Street, Phoenix, Arizona, with the following members present: Andrew Kunasek, District 3; Don Stapley, District 2, (entered late) and Mary Rose Wilcox, District 5. Absent: Max W. Wilson, Chairman, District 4 and Fulton Brock, District 1. Also present: Fran McCarroll, Clerk of the Board, and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

**COUNTY SUPERVISOR'S ASSOCIATION (CSA) BOARD OF DIRECTORS  
AND LEGISLATIVE POLICY COMMITTEE**

President David Brown called the County Supervisors Association Board of Directors meeting to order at 12:33 p.m. The following members were present: (ADM604)

David A. Brown, Apache County  
Paul Newman, Cochise County  
Matt Ryan, Coconino County  
Liz Archuleta, Coconino County  
Shirley Dawson, Gila County  
Tommie Martin, Gila County  
Joe Sanchez, Gila County  
Mark Herrington, Graham County  
Jim Palmer, Graham County  
Richard G. Lunt, Greenlee County  
Gene Fisher, La Paz County  
Mary Rose Wilcox, Maricopa County

Andy Kunasek, Maricopa County  
Don Stapley, Maricopa County  
Pete Byers, Mohave County  
J. R. DeSpain, Navajo County  
Jesse Thompson, Navajo County  
Jerry Brownlow, Navajo County  
Lionel D. Ruiz, Pinal County  
David Snider, Pinal County  
Thomas Thurman, Yavapai County  
Carol Springer, Yavapai County  
Lenore L. Stuart, Yuma County  
Russell McCloud, Yuma County

**Others present:**

Sean Noble, Cong. Shadegg's Office  
Alan Stephens, Governor's Office  
Brent Brown, Governor's Office  
Steve Besich, Gila County  
Terry Doolittle, Pinal County  
James Jayne, Navajo County  
Kevin Tunell, Yuma County  
Rick Bohan, Maricopa County  
Jim Bloom, Maricopa County  
Jim Sawyer, AACo  
Sally Bender, CSA Staff  
Craig Sullivan, CSA Staff  
Penny Adams, CSA Staff

Representative Jack A. Brown  
Senator Jake Flake  
Martin Willett, Pima County  
Dennis Miller, Santa Cruz County  
Jim Holst, Yavapai County  
Jerry Flannery, Coconino County  
Diane Sikokis, Maricopa County  
Jo Johnson, Gila County  
Christian Stumpf, Maricopa County  
Mark Barnes, Lobbyist  
Nicole Waldron, CSA Staff  
Joan Serviss, CSA Staff  
Laura Pingatore, CSA Staff

**Proxies:**

Louise Yellowman, Coconino County  
Deb Hill, Coconino County

Carlos Taylor, Jr., Coconino County

**WELCOME**

President David Brown welcomed Senator Jake Flake, Representative Jack Brown, Alan Stephens, and Brent Brown. He expressed sincere regrets for the loss of former Apache County Supervisor Arthur N. Lee, who recently passed away. CSA will send out information on the funeral services.

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**~ Supervisor Stapley entered the meeting ~**

**APPROVAL OF MINUTES OF THE JANUARY 20, 2005 BOARD OF DIRECTORS AND LEGISLATIVE POLICY COMMITTEE MEETING**

Supervisor Gene Fisher moved to approve the minutes of the January 20, 2005 CSA Board of Directors and Legislative Policy Committee meeting. Supervisor Shirley Dawson seconded the motion and the motion passed.

**DISCUSSION WITH SEAN NOBLE OF CONGRESSMAN SHADEGG'S OFFICE**

Sean Noble said he was the chief of staff for Congressman John Shadegg, and has worked for the Congressman for his entire congressional career. He provided information on behalf of the Congressman. Congress elected Congressman Shadegg to be the policy chairman, which is the fifth ranking member of leadership in the House conference. Congressman Shadegg understands counties are faced with tremendous challenges, in terms of mandates and the expectancy of the feds and the state. He noted the Congressman is aware the federal government can treat counties badly and they will continue to work on that. He encouraged supervisors to visit the congressional delegation while in Washington, D.C., for the NACo Legislative Conference. He suggested that if supervisors are not able to meet with the congressmen/senators, due to their hectic schedules, to meet with their staff instead. He noted that staff is very capable and would pass along any information to the congressman/senator. Many meetings/conferences are scheduled in Washington in March, which is why they call it March Madness.

Sean said they believe the President's budget is underfunded or not funded in order to make it look good, knowing that Congress would propose increases on some of the issues. He said there might be some challenges with the President's supplemental request on the funding for Iraq and Afghanistan. He asked for counties to please contact his office at any time. He noted they are not just a Maricopa County-related office. He said the Congressman sits on the Energy and Commerce committee, which has jurisdiction on many issues that face all counties in the state and they are very concerned with those. Supervisor Mark Herrington asked how the Congressman feels about the President's budget proposing a 12 percent cut to PILT and whether he thought we would get at least as much as we did last time or get a little increase. Sean replied the Congressman believes counties would receive about the same as last time or a little increase. He noted there are a lot of western counties impacted by PILT and there are some pretty powerful people who represent western counties. Supervisor Paul Newman asked Sean to comment on the State Criminal Alien Assistance Program (SCAAP) proposal in the President's budget. Sean replied SCAAP monies would be received, but won't be funded at the level they should.

Supervisor Newman asked Sean to comment on the border state hospital reimbursement, BRAC, and burn grant funding. Sean noted the burn grant funding would be the third priority of these three issues. He said the entire delegation sponsored SCAAP and hospital reimbursement on illegal alien treatment. He noted the Congressman is a strong supporter of Luke Air Force base and the other bases in the state. He believes Luke is in pretty good shape, and the other bases should be, as well. Supervisor Mary Rose Wilcox said she and Supervisor Don Stapley had just come back from a NACO trip, where they discussed SCAAP and Medicaid and the cuts to them. She said there is a House bill concurrent with a Senate bill to create a committee that NACO

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would play a big role on and she asked for the Congressman's support. Sean noted the head of Health and Human Services would be looking at the Medicaid issue. He said that counties need to play a role, since they are a big factor in it, and there will be a huge battle.

Alan Stephens commented the Medicaid recommendation from the President's budget hits Arizona for about \$50 million to \$60 million in federal dollars a year. He noted that since Arizona has managed care with the AHCCCS program, it may not be as impacted by the President's proposal. However, he stated the cut or limitation from the President's budget over the next 10 years could be adopted by the budget committee chair and become the caps under which Medicaid would be funded. It would depend upon the details of how Congress works out the budget. If they do across the board approaches, it could penalize a state that has managed care like Arizona, and, thus, penalize providers and impact our rural provider networks, in particular. The Governor's office will work with the congressional delegation to let them know of these concerns. The Governor will be speaking with the delegation in March while at a Governor's conference in Washington.

**APPROVAL OF CSA BYLAWS PROPOSED AMENDMENTS**

Craig Sullivan informed the board an LPC working group helped form some process improvements to help strengthen our policy development efforts and improve our advocacy efforts on behalf of counties. He noted the intent of the proposed CSA bylaws change was to improve flexibility in the responsiveness of CSA staff on behalf of the board at the Legislature. The proposed amendment was submitted at the January CSA board meeting for approval at today's meeting. Supervisor Russell McCloud suggested the proposed amendment under 11.2.2 reflect, "The meeting schedule shall be determined by the chair of the LPC or a certain 'number' of counties," not just to be determined by the chairman. Craig noted the intent was to move away from a rigid schedule and put in place a flexible schedule, not to make it difficult for other members to influence when to meet. Supervisor Liz Archuleta suggested changing it to have the LPC meet a minimum of once a month or "x" number of times a year. President Brown commented he wouldn't want the bylaws to state to meet once a month, because there are months when the LPC would not meet when the Legislature is not in session. He noted that any amendment would require 30-days notice before adoption. Supervisor Dawson moved to adopt the CSA bylaws proposed amendments, as presented. Supervisor Richard Lunt seconded the motion and the motion passed.

**LEGISLATIVE POLICY COMMITTEE REPORT**

President Brown stated the CSA legislative agenda package was moving along nicely. Sally Bender advised a handout was provided on the analysis of the OSPB and JLBC budget recommendations that included a cover memorandum to be used as talking points in discussions with legislators. CSA has analyzed and summarized the two budget recommendations and the impacts to counties. The talking points are to be used when talking to legislators to educate them on the fiscal impacts to counties. Sally noted that a lot of legislators don't understand the budget contains these impacts to counties, because they weren't around when these impacts were put into place.

Sally noted that both budget recommendations include impacts to counties on restoration to competency (RTC), HURF, disproportionate uncompensated care (DUC) pool shift to AHCCCS, and the Maricopa/Pima counties adult probation shift. The OSPB budget also includes the Prop. 204 county hold-harmless elimination. She said the next two weeks is the opportune time to

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contact legislators to inform them these impacts are still in place and will become institutionalized if we don't try to get rid of them now. These impacts were supposed to be temporary.

President Brown stated the LPC discussed almost 50 bills this morning. The bills are either being monitored, supported or opposed. The LPC changed the status on the following bills:

S.B. 1229 Cable Television; Services – Oppose.

H.B. 2500 Property Records; Redaction – Oppose, because of the cost to 13 counties that don't currently do this, unless the redaction would be for electronic records only, and then remain neutral.

H.B. 2621 Retiree Health Insurance; Rural Subsidy – Support.

S.B. 1359 Retirees; Health Insurance Program; and S.B. 1360 Retiree Health Insurance Committee – Support.

H.B. 2508 Homeowner Property Taxes; Class One; and S.B. 1508 Commercial Property Tax Relief – A lot of discussion occurred on both these bills. The outcome of the discussion conveyed counties have serious concerns about what the affect would be on counties, county subdivisions, shifts to homeowners, and special taxing districts. CSA staff was given the flexibility to express the counties' serious concerns about both bills in that not enough information is available to know what the affects would be. JLBC has been asked to advise what the affects on each county would be from these two proposals. Mark Barnes will analyze the data.

H.B. 2440 State Lottery – Support.

S.B. 1425 County Supervisors; Number – Oppose.

S.B. 1222 Transportation; Roundabouts – Oppose.

The remainder of the bills CSA is following remain in the same status on whether CSA will be monitoring, opposing or supporting.

**CSA/ACRF FY05 SECOND QUARTER FINANCIAL STATEMENT**

Sally Bender advised the financial report on the special assessment monies was provided on the back side of the CSA quarterly financial report. The previous executive director was directed to setup a special fund for the computer network, infrastructure needs, and building contingency fund. She noted the special assessment monies were being accounted for separately from the regular operating expenditures. The assessment monies have been used to purchase much needed office equipment, computers, boardroom furniture, boardroom microphones and speakers, and upgraded computer software. Sally thanked Yavapai County for being a big help with the computers.

Penny Adams advised the financial report for the second quarter of FY 2004-05 was right on track. The revenues are streaming in nicely and the expenditures are on target for the half-year mark. Penny noted the County Dues budget column was increased by \$150,000, which represented the \$10,000 special assessment to each county approved at the November 18, 2004 CSA board meeting. As of the second quarter ending, one county's assessment had been received.

**EXECUTIVE DIRECTOR REPORT**

Sally Bender advised the Department of Justice had precleared the voting elements of Prop. 200, but after a number of meetings, Secretary of State Brewer withdrew the Prop. 200 ID procedures at the request of the Attorney General. She noted the civil deputy attorneys have been following this issue closely, as well as have the county recorders. Documents from the Secretary of State

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and Attorney General's office were included in the agenda packet. The assistant Secretary of State gave a presentation to the County Managers Association meeting last Friday. Sally stated most questions can be answered by the provided documents or by the civil deputies, but at this point the ID procedure is on hold. Jim Sawyer noted a striker will be put on the bill in the Judiciary committee. He said what is being put on hold is input from the county recorders. He said the Attorney General and Secretary of State are working on an amendment. It will then have to be determined if county officials agree with the amendment. Sally said the Attorney General stated the state statutes have to be amended so the ID requirement is on hold right now, until the legislation is passed.

Supervisor Newman noted it creates complications. Jim said it's his understanding from the Attorney General's Opinion that because the state statutes right now don't identify these concerns, counties should conduct the March election in the same manner the November election was done. Sally noted the final language would be sent to counties upon receipt.

Sally advised the NACo Legislative Conference will be held March 4-8 in Washington, D.C. CSA and AACo will be jointly holding their annual breakfast with congressional members on March 8 from 8:00 to 10:00 a.m. in room 236 of the Senate Russell Office Building. Supervisor Don Stapley will be hosting a booth at the conference for his candidacy of NACo second vice-president. Supervisor Stapley commented he would be handing out good candy at the booth.

Sally advised she was appointed to a subcommittee for the Governor's Information Technology Agency (GITA) dealing with telecom and other issues throughout Arizona. The League and CSA have been asked to help with an RFI with GITA for a request for information from vendors in Arizona and what they are capable of providing as far as telecom services to the remote areas of Arizona. She said it would be very helpful to rural Arizona for economic development.

**COUNTY CAUCUS REPORTS**

Supervisor Jerry Brownlow said the Small County Caucus had a good meeting last evening. Two Representatives from District 5 attended (Konopnicki and Brown), along with Representative Alvarez. He publicly apologized to Dennis Miller for inadvertently leaving him off the agenda.

Supervisor Pete Byers stated the Medium County Caucus had a good discussion at their meeting this morning. They discussed new issues, and he noted that new people are attending the meeting. He requested medium county supervisors contact him if they would like to be on the contact list to attend the meetings.

Supervisor Andy Kunasek noted there was no report from the Large County Caucus.

**NEXT MEETING DATE AND TIME**

President Brown advised the next meeting is scheduled for Thursday, March 17, with lunch at noon and the meeting to begin at 12:30 p.m. He advised the Legislative Policy Committee has three meetings scheduled: Friday, February 25, 9:00 a.m., to be telephonic; Friday, March 11, 9:00 a.m., to be telephonic; and Thursday, March 17, 10:00 a.m. in person prior to the CSA board meeting. Penny Adams will provide the call-in numbers for the meetings.

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**OTHER BUSINESS**

Supervisor Wilcox advised the Community Development Block Grant (CDBG) program was also discussed at the NACo conference she and Supervisor Stapley attended. She noted the CDBG has been zeroed out in the President's budget. She left the materials with CSA to send out to the counties. She requested each county provide an example to their congressional district member, in order to help the congressional staff understand the program better. Supervisor Stapley advised the Large Urban Counties Caucus (LUCC) Fly-in was held earlier this week. He noted it is an interesting time in Washington right now, because it is the first time they have seen across the board cuts on issues such as CDBG and Medicaid coming out of the Administration's budget. He said a Senate bill creates a bipartisan committee on the Medicaid forum that includes two NACo-appointed county elected officials. If the Senate bill and companion House bill are successful, it could slow the process down a little in order to get us to the table. Senator McCain has signed onto the bill, and it is expected Senator Kyl will, also. He suggested counties call him or Supervisor Wilcox with any questions, or call NACo directly and talk to Jennifer Wilson.

President Brown thanked CSA staff and Mark Barnes for being so well prepared for the LPC meeting this morning. He said it was very fruitful. He thanked all counties for participating in today's meetings.

**ADJOURNMENT**

There being no further business, the CSA board of directors meeting adjourned at 1:16 p.m.

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Don Stapley, Vice-Chairman

ATTEST:

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Fran McCarroll, Clerk of the Board